

**REMARKS**

Claims 1- 44 are all the claims pending in the application. Applicant thanks the Examiner for acknowledging the patentable subject matter in claims 15, 18-22, 27-29, 33 and 36. Claims 1-14, 16, 17, 23-26, 30-32, 34, 35 and 37-44 stand finally rejected.

In regard to the claim rejections, claims 1, 2, 4, 6, 7, 9, 13, 14, 16, 17, 23-26, 31, 34, 35, 37-39, 43 and 44 are rejected under 35 U.S.C. § 102(e) as being anticipated by Anderson et al., (USP 6,116,717); Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson et al., in view of Milbrandt (USP 4,631,548); Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson et al., in view of Jacobs et al. (USP 4,704,675); Claims 8 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson et al., in view of Nagoshi et al. (USP 6,224,182) and Jacobs et al.; and Claims 10-12, 32 and 40-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson et al. in view of Arthur et al. (USP 5,049,898). For the following reasons, Applicant respectfully traverses the final rejection and requests favorable disposition of the application.

***Argument***

Applicant has amended claim 1 to clarify that in accordance with claim 1, as the ink ejecting time is varied, either corresponding ejected amounts of ink droplets *or* corresponding ejected speeds are measured. Accordingly, a ranking can be achieved for the ink jet head relative to one of either its ink ejection amount or its ink ejecting speed.

In comparison, in Anderson, the measurement (evaluation) must be performed with respect to a plurality of properties (e.g., nozzle resistance, ejected ink amount and ejected ink

speed) to determine a final waveform of a drive signal which is associated with the claimed rank by the individual performing the evaluation. After each of the individual ink ejections, the pulse width of the drive signal is varied with reference to the table indicating the correspondence between the measured value and the pulse width to be set. Accordingly, in Anderson the correlation is utilized to determine the rank (e.g., waveform after the ejection and measurement). However, for each of the plurality of properties measured, the measurement performed is singular. In addition, the table (correlation) is prepared in advance.

Therefore, Applicant submits that Anderson, alone or in combination with any of the other asserted references, fails to teach a plurality of measurements with respect to a single property to obtain (establish) a correlation as claimed. Rather, Anderson identifies a correspondence between an ejecting condition and an ejecting result in a correlation table prepared in advance. For at least this reason, claim 1 and all claims dependent thereon, specifically, claims 2-44 are patentable over the prior art of record.

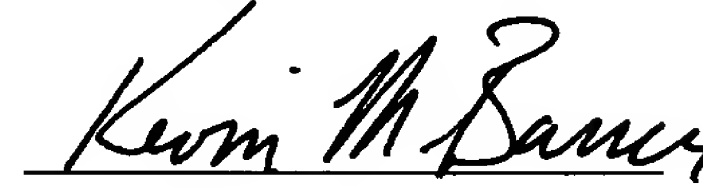
### ***Conclusion***

In view of the foregoing remarks, the application is believed to be in form for immediate allowance with claims 1- 44, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116  
U.S. Appln. No. 09/942,764

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Kevin M. Barner  
Registration No. 46,075

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: March 30, 2004

Attorney Docket No.: Q66059